

REMARKS

Reconsideration of this application is requested. Claims 30 and 33-54 are in the case. Claims 31 and 32 have been canceled without prejudice.

I. THE 35 U.S.C. § 112, FIRST PARAGRAPH, REJECTION

Claims 30, 31, 33, 34, 36-43, 45 and 47-53 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art at the time the application was filed that the inventors had possession of the claimed invention. The Examiner draws attention, in particular, to the fact that the claims are drawn to an isolated and purified polynucleotide comprising SEQ ID NO:4, or variants thereof. The Examiner asserts that, given the great number of possible variants of SEQ ID NO:4, the skilled person allegedly would have reasonably concluded that the Applicants were not in possession of the claimed invention.

It is believed that the Examiner's position is unfounded. However, in order to expedite prosecution of the present application, and without conceding to the merit of the rejection, the claimed invention has been limited to the polynucleotide of SEQ ID NO:4. In light of this amendment, it is believed that the claims are now in allowable condition. Early notice to that effect is respectfully requested.

II. CLAIM AMENDMENTS

Claims 30, 33, 38 and 40 have been amended to delete reference to the variants, and claims 31 and 32 have been canceled without prejudice. Subject matter deleted

FROM NIXON & VANDERHYE PC1
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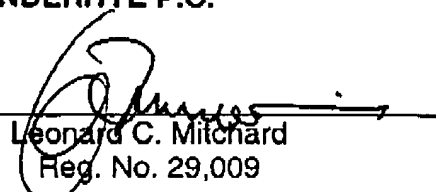
from the present application has been canceled without prejudice to the possibility of pursuing that subject matter in a separate continuing application. No new matter is entered.

Allowance of the application is awaited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Leonard C. Mitchard
Reg. No. 29,009

LCM:lfm
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

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